

Senate Engrossed

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 135

SENATE BILL 1113

AN ACT

AMENDING SECTIONS 5-221, 5-224, 5-225, 5-227, 5-228, 5-230 AND 5-233, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3001.08, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3011.01; RELATING TO THE ARIZONA STATE BOXING COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 5-221, Arizona Revised Statutes, is amended to
3 read:

4 5-221. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Boxing" means the act of attack and defense with the fists, using
7 padded gloves, that is practiced as a sport. Where applicable, boxing
8 includes kick boxing.

9 2. "Commission" means the Arizona state boxing commission.

10 3. "Contest" means any boxing contest, match or exhibition.

11 4. "Department" means the Arizona department of racing.

12 5. "Director" means the director of the Arizona department of racing.

13 6. "Kick boxing" means a form of boxing in which blows are delivered
14 with any part of the arm below the shoulder, including the hand, and any part
15 of the leg below the hip, including the foot.

16 7. "Nontraditional fighting contest" means any competition between
17 two or more persons, with or without gloves, who use any combination of
18 fighting skills, including boxing, wrestling, hitting, kicking, martial arts
19 and other combative full contact techniques ~~and who compete for money or~~
20 ~~other prizes.~~ Nontraditional fighting contests include ultimate fighting,
21 extreme fighting and shoot fighting but do not include kick boxing or any
22 recognized martial arts competition.

23 8. "Professional" means any person who competes for any money prize
24 or a prize that exceeds the value of thirty-five dollars or teaches or
25 pursues or assists in the practice of boxing as a means of obtaining a
26 livelihood or pecuniary gain.

27 9. "Secretary" means the executive secretary of the commission.

28 10. "Tough man contest" means any boxing match consisting of one minute
29 rounds, between two or more persons ~~who compete for money and who use their~~
30 ~~hands, wearing padded gloves that weigh not less than twelve ounces, or their~~
31 ~~feet, or both, in any manner.~~ Tough man contest does not include kick boxing
32 or any recognized martial arts competition.

33 Sec. 2. Section 5-224, Arizona Revised Statutes, is amended to read:

34 5-224. Appointment of officers and employees; salary of
35 executive director; powers and duties of commission

36 A. The commission may appoint an executive secretary DIRECTOR,
37 deputies, medical doctors and other personnel as required to perform the
38 duties prescribed by the commission. The secretary EXECUTIVE DIRECTOR is
39 eligible to receive an annual salary as determined pursuant to section
40 38-611.

41 B. The commission shall obtain from a physician licensed to practice
42 in this state rules and standards for the physical examination of boxers and
43 referees. A schedule of fees to be paid physicians by the promoter or
44 matchmaker for the examination shall be set by the commission.

1 C. The commission may adopt and issue rules pursuant to title 41,
2 chapter 6 to carry out the purposes of this chapter.

3 D. The commission shall hold a regular meeting quarterly and in
4 addition may hold special meetings. Except as provided in section 5-223,
5 subsection B, all meetings of the commission shall be open to the public and
6 reasonable notice of the meetings shall be given pursuant to title 38,
7 chapter 3, article 3.1.

8 E. The commission shall:

9 1. Make and maintain a record of its acts and proceedings including
10 the issuance, denial, renewal, suspension or revocation of licenses.

11 2. Keep records of the commission open to public inspection at all
12 reasonable times.

13 3. Assist the director in the development of rules to be implemented
14 pursuant to section 5-104, subsection T.

15 4. Conform to the rules adopted pursuant to section 5-104,
16 subsection T.

17 F. The commission may enter into intergovernmental agreements with
18 Indian tribes, tribal councils or tribal organizations to provide for the
19 regulation of boxing contests on Indian reservations. Nothing in this
20 chapter shall be construed to diminish the authority of the department of
21 gaming.

22 Sec. 3. Section 5-225, Arizona Revised Statutes, is amended to read:

23 5-225. Regulation of boxing contests, tough man contests and
24 nontraditional fighting contests

25 A. All boxing contests are subject to the provisions of this
26 chapter. Every contestant in a boxing contest shall wear padded gloves that
27 weigh at least eight ounces. The commission shall for every contest:

28 1. Direct a deputy to be present.

29 2. Direct the deputy to make a written report.

30 ~~B. No boxing contest shall be conducted within this state except in~~
31 ~~accordance with the provisions of this chapter.~~

32 ~~C.~~ B. All tough man contests, INCLUDING AMATEUR TOUGH MAN CONTESTS,
33 are subject to the provisions of this chapter. Every contestant in a tough
34 man contest shall wear padded gloves that weigh at least twelve ounces.

35 ~~D.~~ C. All nontraditional fighting contests, INCLUDING AMATEUR
36 NONTRADITIONAL FIGHTING CONTESTS, are subject to the provisions of this
37 chapter. Contestants in nontraditional fighting contests shall not strike
38 other contestants in the spinal column or in the back of the head. ~~and shall~~
39 ~~not strike with their knees or elbows.~~ CONTESTANTS SHALL NOT STRIKE WITH
40 THEIR KNEES OR ELBOWS UNLESS SPECIFIED BY RULE.

41 Sec. 4. Section 5-227, Arizona Revised Statutes, is amended to read:

42 5-227. Jurisdiction of commission

43 A. The commission shall:

44 1. Except for the financial and accounting functions delegated to the
45 director pursuant to section 5-104, have sole direction, management, control

1 and jurisdiction over all boxing contests held within this state unless
2 exempt from the application of this chapter by section 5-222.

3 2. Have sole control, authority and jurisdiction over all licenses
4 required by this chapter.

5 B. The commission shall grant a license to an applicant if in the
6 judgment of the commission the financial responsibility, experience,
7 character and general fitness of the applicant are such that his
8 participation is consistent with the public interest, convenience or
9 necessity and the best interests of boxing and in conformity with the
10 purposes of this chapter. THE COMMISSION MAY DELEGATE THE COMMISSION'S
11 LICENSING AUTHORITY TO THE COMMISSION'S EXECUTIVE DIRECTOR.

12 Sec. 5. Section 5-228, Arizona Revised Statutes, is amended to read:

13 5-228. Persons required to procure licenses; requirements;
14 background information; fee; bond

15 A. All referees, judges, matchmakers, promoters, trainers, ring
16 announcers, timekeepers, ringside physicians, boxers, boxers' managers and
17 boxers' seconds are required to be licensed by the commission. The
18 commission shall not permit any of these persons to participate in the
19 holding of any boxing contest unless the person has first procured a license.

20 B. Before participating in the holding of any boxing contest, a
21 corporation, its officers and directors and any person holding twenty-five
22 per cent or more of the ownership of the corporation shall obtain a license
23 from the commission. Such a corporation must be authorized to do business
24 under the laws of this state.

25 C. The commission shall require referees, judges, matchmakers,
26 promoters and ~~boxer's~~ BOXERS' managers to furnish fingerprints and background
27 information pursuant to section 41-1750, subsection G prior to BEFORE
28 licensure. The commission shall charge a fee for fingerprints and background
29 information in an amount determined by the commission. THE COMMISSION MAY
30 REQUIRE REFEREES, JUDGES, MATCHMAKERS, PROMOTERS AND BOXERS' MANAGERS TO
31 FURNISH FINGERPRINTS AND BACKGROUND INFORMATION PURSUANT TO SECTION 41-1750,
32 SUBSECTION G BEFORE LICENSE RENEWAL IF THE COMMISSION DETERMINES THE
33 FINGERPRINTS AND BACKGROUND INFORMATION ARE NECESSARY. The fee may include
34 a reasonable charge for expenses incurred by the commission or the department
35 of public safety. For such purpose the commission and the department of
36 public safety may enter into an intergovernmental agreement pursuant to title
37 11, chapter 7, article 3. The fee shall be credited pursuant to sections
38 35-148 and 41-1750.

39 D. Before the commission issues a license to a promoter, matchmaker
40 or corporation, the applicant shall:

41 1. Provide the commission with a copy of any agreement between any
42 contestant and the applicant which binds the applicant to pay the contestant
43 a certain fixed fee or percentage of the gate receipts.

1 2. Show on the application the owner or owners of the applicant entity
2 and the per cent interest if they hold twenty-five per cent or more interest
3 in the applicant.

4 3. Provide the commission with a copy of the latest financial
5 statement of the entity.

6 4. Provide the commission with a copy of the insurance contract
7 required by this chapter.

8 E. Before the commission issues a license to a promoter, the applicant
9 shall deposit with the department a cash bond or surety bond in an amount set
10 by the commission. The bond shall be executed in favor of this state and
11 shall be conditioned on the faithful performance by the promoter of the
12 promoter's obligations pursuant to this chapter and the rules adopted
13 pursuant to this chapter.

14 F. Before the commission issues a license to a boxer, the applicant
15 shall submit to the commission the results of a current medical examination
16 on forms furnished or approved by the commission. The medical examination
17 must include an ophthalmological examination.

18 Sec. 6. Section 5-230, Arizona Revised Statutes, is amended to read:

19 5-230. License fees; expiration; renewal

20 A. The commission may establish and issue annual licenses, subject to
21 the collection of advance fees by the department, provided that the fees do
22 not exceed the following amounts:

23 1. Promoters, two hundred dollars.

24 2. Matchmakers, one hundred dollars.

25 3. Managers, fifty dollars.

26 4. Judges, referees, announcers and ringside physicians, twenty-five
27 dollars.

28 5. Timekeepers, boxers, boxers' trainers and boxers' seconds, ten
29 dollars.

30 6. For a corporation filing for a license to participate in the
31 holding of any boxing contest, four hundred dollars.

32 7. Officer, director or other person affiliated with a corporation,
33 fifty dollars.

34 B. A license expires December 31 at midnight in the year of its
35 issuance AND MAY BE RENEWED ON FILING AN APPLICATION FOR RENEWAL OF A LICENSE
36 WITH THE COMMISSION AND PAYMENT OF THE LICENSE FEE PRESCRIBED IN SUBSECTION
37 A. THE APPLICATION FOR RENEWAL OF A LICENSE SHALL BE ON A FORM PROVIDED BY
38 THE COMMISSION. THERE IS A THIRTY DAY GRACE PERIOD DURING WHICH A LICENSE
39 MAY BE RENEWED IF A LATE FILING PENALTY FEE EQUAL TO THE LICENSE FEE IS
40 SUBMITTED WITH THE REGULAR LICENSE FEE. A LICENSEE THAT FILES LATE SHALL NOT
41 CONDUCT ANY ACTIVITY REGULATED BY THIS CHAPTER UNTIL THE COMMISSION HAS
42 RENEWED THE LICENSE. IF THE LICENSEE FAILS TO APPLY TO THE COMMISSION WITHIN
43 THE THIRTY DAY GRACE PERIOD THE LICENSEE MUST APPLY FOR A NEW LICENSE
44 PURSUANT TO SUBSECTION A.

1 Sec. 7. Section 5-233, Arizona Revised Statutes, is amended to read:

2 5-233. Contestants and referees; physical examination;
3 attendance of physician; payment of fees; insurance

4 A. All boxers and referees shall be examined by a physician licensed
5 by this state before entering the ring, and the examining physician shall
6 immediately file with the commission a written report of the
7 examination. The physician's report of the examination shall include
8 specific mention as to the condition of the boxer's heart and general
9 physical condition. The physician's report may include specific mention as
10 to the condition of the boxer's nerves and brain as required by the
11 commission. The cost of the examination is payable by the person conducting
12 the contest or exhibition.

13 B. Every person holding or sponsoring any boxing contest shall have
14 in attendance at every boxing contest a physician licensed by this
15 state. The commission may establish a schedule of fees to be paid to each
16 physician by the person or by the promoter.

17 C. The commission shall:

18 1. Require insurance coverage for a boxer to provide for medical,
19 surgical and hospital care for injuries sustained in the ring in an amount
20 of ~~two thousand~~ TWENTY THOUSAND dollars with twenty-five dollars deductible
21 and payable to the boxer as beneficiary.

22 2. Require life insurance for a boxer in the amount of ~~two thousand~~
23 ~~five hundred~~ FIFTY THOUSAND dollars payable in case of accidental death
24 resulting from injuries sustained in the ring.

25 D. The cost of the insurance required by this section is payable by
26 the promoter.

27 Sec. 8. Repeal

28 Section 41-3001.08, Arizona Revised Statutes, is repealed.

29 Sec. 9. Title 41, chapter 27, article 2, Arizona Revised Statutes, is
30 amended by adding section 41-3011.01, to read:

31 41-3011.01. Arizona state boxing commission; termination July
32 1, 2011

33 A. THE ARIZONA STATE BOXING COMMISSION TERMINATES ON JULY 1, 2011.

34 B. TITLE 5, CHAPTER 2, ARTICLE 2 IS REPEALED ON JANUARY 1, 2012.

35 Sec. 10. Purpose

36 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,
37 the legislature continues the Arizona state boxing commission to provide the
38 best protection for all interested parties in the sports of boxing and
39 kickboxing.

40 Sec. 11. Retroactivity

41 Sections 6 and 7 of this act are effective retroactively to July 1,
42 2001.

APPROVED BY THE GOVERNOR APRIL 17, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2001.

Passed the House April 10, 20 01,

by the following vote: 50 Ayes,

6 Nays, 4 Not Voting



Speaker of the House

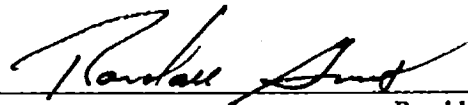


Chief Clerk of the House

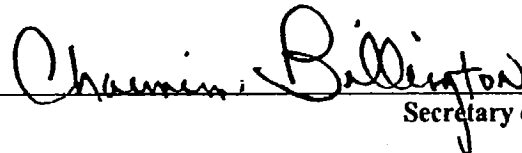
Passed the Senate February 5, 20 01,

by the following vote: 16 Ayes,

13 Nays, 1 Not Voting



President of the Senate



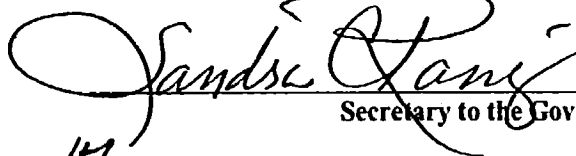
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11 day of April, 20 01,

at 11:03 o'clock A M.

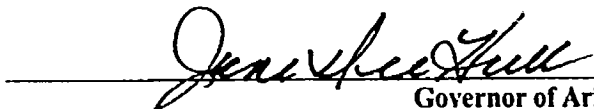


Secretary to the Governor

Approved this 17 day of

April, 20 01,

at 10:55 o'clock A M.



Governor of Arizona

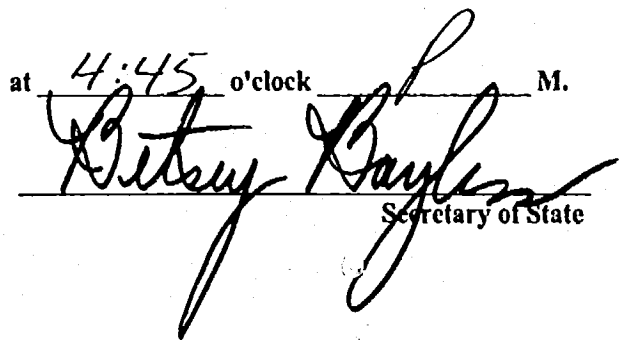
S.B. 1113

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 20 01,

at 4:45 o'clock P M.



Secretary of State